



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/582,451	11/10/2000	Michael Scott Deiss	RCA88853	3490
24498	7590	04/22/2009		
Thomson Licensing LLC P.O. Box 5312 Two Independence Way PRINCETON, NJ 08543-5312			EXAMINER AN, SHAWN S	
			ART UNIT 2621	PAPER NUMBER
			MAIL DATE 04/22/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/582,451	Applicant(s) DEISS ET AL.	
	Examiner SHAWN AN	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 February 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Request for Continued Examination

1. The request filed on 2/10/09 for a Request for Continued Examination (RCE) under 37 CFR 1.114 based on parent Application No. 09/582,451 is acceptable and a RCE has been established. An action on the RCE follows.

Response to Amendment

2. As per Applicant's instruction as filed on 2/10/09, claims 1-12 have been canceled, and claims 13-24 have been newly added.

Response to Remarks

3. Applicant's remarks/arguments with respect to currently pending newly added claims have been carefully considered but are moot in view of the following new ground(s) of rejection.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 13-18, 20-22, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams (6,134,419) in view of Citta et al (5,602,595) and Fuji et al (5,898,695).

Regarding claims 13, 15-16, 20, and 24, Williams discloses a receiver and a method for processing input signals comprising:

a first input (tuner) (Fig. 8, 110) for receiving a packetized input data stream comprised of multiplexed and compressed packets, each of said packets having at least header and payload data (Fig. 1; Fig. 3, 58);

a transport decoder unit (Figs. 7-8, 118, 120) partitioning said packetized data stream to generate a video component and an audio component;

first digital signal processing arrangement (Figs. 7-8, 122) decompressing said video component of said packetized data stream, and digital signal processing said decomposed video component and said digitized video signal to generate a video output signal, and second digital signal processing arrangement (Figs. 7-8, 123) decompressing said audio component of said packetized data stream, and digital signal processing said decompressed audio component and said digitized audio signal to generate an audio output signal (col. 15, lines 54-67; col. 16, lines 1-20);

a converting arrangement transposing said video output signal to the displayable video signal (Figs. 7-8, 125) and said audio output signal to the audible output signal (Figs. 7-8, 127).

Williams does not particularly disclose a second input for receiving an analog signal, a processor processing said analog signal to generate a digitized audio signal and a digitized video signal, and a delay selectively delaying the processing of the digitized audio signal to synchronize an audible audio signal with a displayable video signal;

However, Citta et al teaches an ATV receiver/sync system comprising an input for receiving an analog signal (Fig. 4, 32), a processor processing said analog signal to generate a digitized audio signal and a digitized video signal in order to provide an improved system for receiving analog and digital data (Fig. 4, 36; col. 3, lines 39-67; col. 4, lines 1-5).

Furthermore, Fujii et al teaches a system comprising a conventional delaying/adjusting means (Fig. 1, 74) for selectively delaying the processing of the digitized audio signal to synchronize an audible audio signal with the displayable video signal, and the delaying means being connected to the second processing means (audio decoder) and the partitioning means (data bus).

Therefore, it would have been considered obvious to a person of ordinary skill in the relevant art employing a digital receiver as taught by Williams to incorporate/combine Citta et al's teachings as above so that Williams incorporates a second input for receiving an analog signal and a processor processing the analog signal to generate a digitized audio signal and a digitized video signal in order to provide an improved system for receiving analog and digital data, and to incorporate/combine Fuji et al's adjustable delay means so as to selectively delay the processing of the digitized audio signal, wherein the delay includes the partitioning means, in order to synchronize an audible audio signal with a displayable video signal.

Regarding claims 14 and 21, Fujii et al discloses providing an adjustable memory device (Fig. 1, RAM).

Regarding claims 17-18 and 22, The Examiner takes official notice that a subsequent/secondary audio processing such as Six Channel Dolby Digital Surround Processor was well known at the time the invention was made.

6. Claims 19 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Williams, Citta et al, and Fuji et al as applied to claims 12 and 20 above, respectively, and further in view of Dean (5,963,261).

Regarding claims 19 and 23, Williams does not particularly disclose a converter for converting the digitized interlace video format into a digitized video signal having a progressive scan format.

However, Dean teaches a conventional converter for converting the interlace video format into a video signal having a progressive scan format (Fig. 1), such as to be used for a digital receiver for providing high quality pictures (abs.; col. 3, lines 1-3 and lines 33-50).

Therefore, it would have been considered obvious to a person of ordinary skill in the relevant art employing a digital receiver as taught by Williams' to incorporate/combine Dean's teaching as above so that the converter converts the digitized interlace video format into the digitized video signal having a progressive scan format in order to provide high quality pictures.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to *Shawn An* whose telephone number is 571-272-7324.
8. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/SHAWN AN/

Primary Examiner, Art Unit 2621

4/16/09

Application/Control Number: 09/582,451
Art Unit: 2621

Page 6